

REMARKS

Reconsideration of the application is requested.

Applicant acknowledges the Examiner's confirmation of receipt of applicant's certified copies of the priority document for the German Patent Application 100 30 122.3, filed June 20, 2000 supporting the claim for priority under 35 U.S.C. § 119.

Claims 1-16 are in the application.

In "Claim Rejections - 35 USC § 102" item 3 on page 2 of the above-identified Office Action, claims 1-16 have been rejected as being fully anticipated by the article "CTI converges on a single TDM bus" written by *Kempainen* and published in EDN Magazine on November 11, 1997 (hereinafter **KEMPAINEN**) under 35 U.S.C. § 102(b).

In "Claim Rejections - 35 USC § 102" item 4 on page 3 of the above-identified Office Action, claims 1-16 have been rejected as being fully anticipated by pages 263-268 of "Computer Telephony Encyclopedia" written by *Grigonis* and published by CMP Books in New York (hereinafter **GRIGONIS**) under 35 U.S.C. § 102.

In "Claim Rejections - 35 USC § 102" item 5 on page 3 of the above-identified Office Action, claims 1-16 have been rejected as being fully anticipated by U.K. Patent No. GB 2 318 480 A to *Zorzella* (hereinafter **ZORZELLA**) under 35 U.S.C. § 102(b). Accordingly, for clarity, it should be noted that **ZORZELLA** or reference 'K' is identified as "Mitel" in the above-identified Office Action, which is the corporate entity and not the inventor of the patent application.

The rejections have been noted and as will be explained below, it is believed that the claims were patentable over the cited art in their original form and, therefore, the claims have not been amended to overcome the references.

As indicated in MPEP § 2131 to anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). In the instant case, **KEMPAINEN**, **GRIGONIS**, and **ZORZELLA** do not expressly or inherently teach or suggest all of the elements of claim 1 or claim 9.

Moreover, "The identical invention must be shown in as complete detail as is contained in the ...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). In the instant case, all of the cited references fail to provide "as complete detail as is contained in" claim 1 or claim 9 of the instant application.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful. Claim 1 calls for, *inter alia*, a connection device for connecting a telecommunications system to a data processing device **directly connected to respective switching networks** for through-connecting a respective telecommunications application to a user connected to the telecommunications system.

Independent claim 9 contains similar language.

The **KEMPAINEN** reference discloses a switching fabric H.100. According to the chapter "High-capacity switching fabric", a connection between a CT bus and a local bus or an external bus is generated by means of the H.100 switching fabric.

H.100 switches connect the CT Bus not only to a local bus for transfer to the resource board, but also to an external bus when needed. Therefore, the switch can establish local connections between resources on the same board, such as DSP engines; CT bus connections

between devices on different boards; or connections between resource boards and an external TDM bus

KEMPAINEN does not teach or suggest connecting a coupling device **directly to respective coupling fields** of a telecommunications system AND a data processing device.

Clearly, **KEMPAINEN** does not show "a connection device for connecting a telecommunications system to a data processing device **directly connected to respective switching networks**" as recited in claim 1 of the instant application. Nor does **KEMPAINEN** teach or suggest "a connection device ... **directly connected** to the switching network of the telecommunications system **and** to the switching network of the data processing device" as recited in claim 9 of the instant application.

The **GRIGONIS** reference discloses distributed-switching IC/H.100 switches. Moreover, **GRIGONIS** mentions API (Application Programming Interface) as used in the CSTA (Computer Supported Telecommunications Applications) protocol, which was devised as a CT standard for third-party call control by the ECMA (European Computer Manufacturers Association) standards committee.

However, as the Examiner is surely aware, the mere mention of "API" does not satisfy the requirements, found in MPEP §

2131, which indicate that the **GRIGONIS** reference must teach every element of claims to anticipate the claims. Merely linking computers to telephone systems via an API is not the same as being "directly connected" to the respective switching networks. There is no teaching or suggestion that the **GRIGONIS** switches might be "directly connected" between the respective switching networks of the telecommunication system and the data processing device. Nor does the **GRIGONIS** switches show connecting a coupling device **directly to respective coupling fields** of a telecommunications system AND a data processing device.

Clearly, **GRIGONIS** does not show "a connection device for connecting a telecommunications system to a data processing device **directly connected to respective switching networks**" as recited in claim 1 of the instant application. Nor does **GRIGONIS** teach or suggest "**a connection device ... directly connected** to the switching network of the telecommunications system **and** to the switching network of the data processing device" as recited in claim 9 of the instant application.

The **ZORZELLA** reference discloses a peripheral telecommunications hub for a personal computer. The peripheral telecommunications hub 21 is a tower coupled to a passive ISA backplane 27 that is coupled to the host PC

server 23. As indicated on page 4 of **ZORZELLA**, the hub 21 is part of the CTI system 1, which supports connections to PSTN 9 via T1 trunks 10. Moreover, the POTS devices 7 are coupled to the hub 21 through POTS interface modules.

There is no teaching or suggestion in **ZORZELLA** that the telecommunication hub might be "directly connected" between the respective switching networks of the telecommunication system and the data processing device. Nor does the **ZORZELLA** switches show connecting a coupling device **directly to respective coupling fields** of a telecommunications system AND a data processing device. In fact, **ZORZELLA** indicates that there are several intervening devices.

Clearly, **ZORZELLA** does not show "a connection device for connecting a telecommunications system to a data processing device **directly connected to respective switching networks**" as recited in claim 1 of the instant application. Nor does **ZORZELLA** teach or suggest "**a connection device ... directly connected** to the switching network of the telecommunications system **and** to the switching network of the data processing device" as recited in claim 9 of the instant application.

It is accordingly believed to be clear that none of the references, whether taken alone or in any combination, either

show or suggest the features of claim 1 or claim 9. Claim 1 and claim 9 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claim 1 or claim 9.

In view of the foregoing, reconsideration and allowance of claims 1-16 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

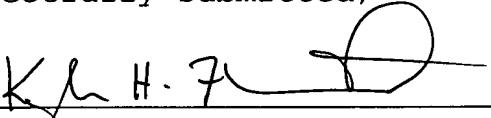
Petition for extension is herewith made. The extension fee for response within a period of one month pursuant to Section 1.136(a) in the amount of \$110.00 in accordance with Section 1.17 is enclosed herewith.

If an extension of time is required, petition for extension is herewith made. Any extension fee associated therewith should be charged to the Deposit Account of Lerner and Greenberg, P.A., No. 12-1099.

Appl. No. 09/885,555
Amdt. Dated July 12, 2004
Reply to Office Action of March 10, 2004

Please charge any other fees that might be due with respect
to Sections 1.16 and 1.17 to the Deposit Account of Lerner
and Greenberg, P.A., No. 12-1099.

Respectfully submitted,



For Applicant

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